

## **REMARKS**

[0005] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1, 3-11, 13-18 and 20-23 are currently pending.
- Claims 1, 4, 16, 17, and 22 are amended herein.

[0006] Support for the amendments to the claims is found in the specification at least at paragraph [0030] of the published patent application.

## **Cited Documents**

[0007] The following documents have been applied to reject one or more claims of the Application:

- Klevenz: Klevenz et al., U.S. Patent Application Publication No. 2003/0137540.
- Baker: Baker et al., U.S. Patent Application Publication No. 2002/0047856.

## **Claims 1, 3-11, 13-18, and 20-23 are Non-Obvious over Klevenz in view of Baker**

[0008] Claims 1, 3-11, 13-18, and 20-23 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Klevenz in view of Baker. Applicant respectfully traverses the rejection.

*Independent Claim 1*

**[0009]** Claim 1, as amended, recites, *inter alia*, “a control component configured to selectively animate a presentation of the collections of data items based in part on the metadata tags and detected user activities, the metadata tags further describing a history of interaction between a user and the collection of data items....”

**[0010]** Klevenz describes “a navigation state stored in a stack structure...[and] pushing information about the replacement pane onto the stack structure.” Paragraph [0015]. To classify the information, a server may include an abstraction layer, and “the abstraction layer may use metadata to categorize documents into multiple taxonomies, for browsing and/or retrieval.” Paragraph [0058].

**[0011]** However, Klevenz is completely silent with respect to “selectively animat[ing] a presentation of the collections of data items based in part on the metadata tags...the metadata tags further describing a history of interaction between a user and the collection of data items...,” as claim 1 presently recites. Rather, Klevenz merely is concerned with using metadata to categorize documents, but has no mention of the presentation of the documents based on the metadata, much less the metadata describes a history of interaction between a user and the documents.

**[0012]** Further, Baker describes that “[a] tag is assigned to the stack of image data, uniquely identifying the stack of image data, the tag being included in the stack of image data.” Paragraph [0015]. Baker is completely silent with respect to a presentation of the stack is based on the tags, much less that the tags describe a history of interaction between a user and the stack. Baker does not teach or suggest “selectively animat[ing] a presentation of the collections of data items based in part on the metadata tags...the

metadata tags further describing a history of interaction between a user and the collection of data items...,” as claim 1 presently recites.

**[0013]** Thus, Klevenz and Baker, alone or in combination, do not teach or suggest all of the elements and features of claim 1. Accordingly, Applicant asks the Office to withdraw the rejection of claim 1.

*Dependent Claim 4*

**[0014]** Claim 4, as amended, recites, *inter alia*, “the collections of data items further comprise a top item displayed as a thumbnail preview.”

**[0015]** Klevenz describes that “another pane should replace a pane comprises specifying that information about the replacement pane should be pushed on a stack structure.” Paragraph [0027]. Klevenz is completely silent with respect to the pane or the replacement pane being a thumbnail preview. Rather, Klevenz merely describes a pane or a replacement plane with no mention of the pane being a thumbnail.

**[0016]** Baker generally pertains to “providing web-based stacked images, includ[ing] providing a database of image data, the image data representing a plurality of separate images....” Abstract. Baker does not teach or describe “the collections of data items further comprise a top item displayed as a thumbnail preview,” as claim 4 presently recites.

**[0017]** Thus, Klevenz and Baker, alone or in combination, do not teach or suggest all of the elements and features of claim 4. Accordingly, Applicant asks the Office to withdraw the rejection of claim 4.

*Dependent Claim 5*

**[0018]** Claim 5 recites “further comprising a control to provide a transitional animation employed to visually link movement of an axial controller with a change in a displayed icon.”

**[0019]** Klevenz describes “receiving an indication of user interaction with a portion of the page; determining an event associated with the indicated interaction; and selectively generating a replacement pane based on the event determination.” Paragraph [0027]. Klevenz is completely silent with respect to a transitional animation with respect to generating the replacement pane, much less the transitional animation is a visual link movement of an axial controller with the generation of the replacement pane.

**[0020]** Baker generally pertains to “providing web-based stacked images, includ[ing] providing a database of image data, the image data representing a plurality of separate images....” Abstract. Baker does not teach or describe “a control to provide a transitional animation employed to visually link movement of an axial controller with a change in a displayed icon,” as claim 5 recites.

**[0021]** Thus, Klevenz and Baker, alone or in combination, do not teach or suggest all of the elements and features of claim 5. Accordingly, Applicant asks the Office to withdraw the rejection of claim 5.

*Dependent Claims 3-11 and 13-15*

**[0022]** Dependent claims 3-11 and 13-15 are allowable over Klevenz and Baker, alone or in combination, by virtue of their dependence on claim 1, as well as for the additional features that claims 3-11 and 13-15 recite. Applicant therefore requests that the Office withdraw the rejection of claims 3-11 and 13-15.

*Independent Claim 16*

[0023] Claim 16, as amended, recites, *inter alia*, "displaying a set of information items as a stack, the displaying based on metadata tags describing a history of interaction between a user and the set of information items...."

[0024] For reasons similar to those discussed above with respect to claim 1, Klevenz and Baker, alone or in combination, fail to teach or suggest at least "displaying a set of information items as a stack, the displaying based on metadata tags describing a history of interaction between a user and the set of information items..." as claim 16 presently recites. Accordingly, Applicant asks the Office to withdraw the rejection of claim 16 for at least the reasons set forth above with respect to claim 1.

*Independent Claim 17*

[0025] Claim 17, as amended, recites, *inter alia*, "selecting a stack of display items with a first control for display, the displaying based on metadata tags describing a history of interaction between a user and the stack of display items...."

[0026] For reasons similar to those discussed above with respect to claim 1, Klevenz and Baker, alone or in combination, fail to teach or suggest at least "selecting a stack of display items with a first control for display, the displaying based on metadata tags describing a history of interaction between a user and the stack of display items..." as claim 17 presently recites. Accordingly, Applicant asks the Office to withdraw the rejection of claim 17 for at least the reasons set forth above with respect to claim 1.

*Dependent Claims 18, 20 and 21*

[0027] Dependent claims 18, 20 and 21 are allowable over Klevenz and Baker, alone or in combination, by virtue of their dependence on claim 17, as well as for the additional features that claims 18, 20 and 21 recite. Applicant therefore requests that the Office withdraw the rejection of claims 18, 20 and 21.

*Independent Claim 22*

[0028] Claim 22, as amended, recites, *inter alia*, “a display object for displaying a group of pages, the displaying based on metadata tags describing a history of interaction between a user and the group of pages....”

[0029] For reasons similar to those discussed above with respect to claim 1, Klevenz and Baker, alone or in combination, fail to teach or suggest at least “a display object for displaying a group of pages, the displaying based on metadata tags describing a history of interaction between a user and the group of pages ...,” as claim 22 presently recites. Accordingly, Applicant asks the Office to withdraw the rejection of claim 22 for at least the reasons set forth above with respect to claim 1.

*Dependent Claim 23*

[0030] Dependent claim 23 is allowable over Klevenz and Baker, alone or in combination, by virtue of its dependence on claim 22, as well as for the additional features that claim 23 recites. Applicant therefore requests that the Office withdraw the rejection of claim 23.

**Conclusion**

[0031] For at least the foregoing reasons, all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.

[0032] If any issues remain that would prevent allowance of this application, Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.

Respectfully Submitted,

Lee & Hayes, PLLC  
Representative for Applicant

/Michael D. Carter 56661/

Dated: /June 29, 2010/

Michael D. Carter  
(michaelcarter@leehayes.com; 512-505-8162 x5004)  
Registration No. 56661

Colin D. Barnitz  
Registration No. 35061